UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,163	08/07/2001	Thane M. Larson	10012383-1	1476

22879 7590 08/07/2007

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER	
HUYNH, KIM T	
ART UNIT	PAPER NUMBER
2111	

MAIL DATE	DELIVERY MODE
08/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

mN

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/924,163
Filing Date: August 07, 2001
Appellant(s): LARSON ET AL.

Jeff A. Holmen (Reg. No. 38,492)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 29th of March 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection To Be Reviewed

The grounds of Rejection to be reviewed on appeal contained in the brief is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 6,528,904	Wong	9-2000
Pub. No. US2004/0225794	Thornton	12-2000
US Patent 6,295,567	Bassman	1-1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

a. Claims 1-4, 6-10, 12-16, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (US Patent 6,528,904) in view of Thornton (Pub. No US 20040225794)

As for claims 1, 8, Wong teaches a server system comprising:

a plurality of printed circuit assemblies including a plurality of host processor cards (see figure 1, plurality of CPU blades 15 which are processor cards); a management card coupled to the plurality of printed circuit assemblies (see figure 1,SERVER MGNT BLADE 10, 12 and each blade 10, 12 is coupling to the CPU blades 15 via buses), the management card dedicated to monitoring and managing operation of the server system (see figure 1, SERVER MGNT BODE 10, 12 and column 5 lines 19-42, wherein one MB handles the housekeeping chores such as health of the server and the other one acts as hot spare), including monitoring and managing on-line insertion and removing of the printed circuit assemblies (see figure 1, bus 27 and column 4 lines 63 to column 5 line 10 and column 2 lines 5-10, wherein the bus 27 providing hot swapping signal to the MBS 10, 12 when CPU blades 15 are hot swapping; and

Wong discloses all the limitations as above except wherein the management card includes a LAN switch configured to coupled to the plurality of host processor cards and an external management network. However, Thornton discloses a LAN interface switching unit which is configurable to route encoded signals from one or more of a plurality of computer cards to one or more LAN devices(external) to the removable function module. (paragraph 24-29)

It would have been obvious to one having ordinary skills in the art at the time the invention was made to incorporate Thornton's teaching into Wong's system so as to provide improved systems that are desired for adding modular functionality to co-located computer system. (paragraph 14-15)

As for claim 14, Wong teaches a server system comprising: a plurality of printed circuit assemblies including a plurality of host processor cards (see figure 1, plurality of CPU blades 15 which are processor cards; a management card coupled to the plurality of printed circuit assemblies (see figure 1,SERVER MGNT BLADE 10, 12 and each blade 10, 12 is coupling to the CPU blades 15 via buses), the management card dedicated to monitoring and managing operation of the server system (see figure 1, SERVER MGNT BODE 10, 12 and column 5 lines 19-42, wherein one MB handles the housekeeping chores such as health of the server and the other one acts as hot spare), including monitoring and managing on-line insertion and removing of the printed circuit assemblies (see figure 1, bus 27 and column 4 lines 63 to column 5 line 10 and column 2 lines 5-10, wherein the bus 27 providing hot swapping signal to the MBS 10, 12 when CPU blades 15 are hot swapping; and

Wong discloses all the limitations as above except a multiple-port LAN switch having at least four ports, the LAN switch coupled to the controller and configured to be coupled to a management connection of at least one of the plurality of removable cards. However, Thornton discloses a LAN interface

switching unit which is configurable to route encoded signals from one or more of the plurality of computer cards to one or more LAN devices to the removable function module. (paragraph 24-29)

It would have been obvious to one having ordinary skills in the art at the time the invention was made to incorporate Thornton's teaching into Wong's system so as to provide improved systems that are desired for adding modular functionality to co-located computer system. (paragraph 14-15)

As for claims 2, 9, 15 and 20, Wong teaches the management card includes a management processor and a GN switch (see figure 1 MUX 22, the LAN switch coupled to management connections of the at least one host processor card, and management connections of the management processor (see figure 1, MUX 22, CPU blades 15, microcontroller 20).

As for claim 3, Wong teaches a backplane for connecting the plurality of printed circuit assemblies to the management card (see figure 2, backplane, CPU blades 15).

As for claims 6-7, 12-13 and 18-19, Wong teaches providing status information on the management card (see figure 1, SERVER MGNT BLADE 10, 12 and column 5 lines 18-42).

As for claims 4, 10 and 16, Wong teaches I2C bus (see column 2 lines 25-26).

b. Claims 5, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (US Patent 6,528,904) in view of Thornton (Pub. No US 20040225794) and further in view of Bassman (US Patent 6,295,567)

Wong teaches cooling fans (col.2, lines 47-48).

The modified of Wong discloses all the limitations as above but does not expressly teach temperature sensor and controlling the fan speed. However, Bassman teaches such features cooling fan, temperature sensor and controlling fan speed (see column 8 lines 35-61). It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Bassman into the teachings of Wong because Bassman providing system detection from overheating, thereby preventing parts damage from overheating.

(10) Response to Argument

Appellants' brief filed on 3/29/07 have been fully considered but does not place the application in condition for allowance.

a. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir.

1992). In this case, Examiner relies on Thornton's reference the teaching of wherein the management card includes a LAN switch configured to coupled to the plurality of host processor cards and an external management network for combination. As Thornton notes at paragraphs 24-29, it is well established in the art to provide a LAN interface switching unit which is configurable to route encoded signals from one or more of a plurality of computer cards to one or more LAN devices(external) to the removable function module. Because both Wong and Thornton teach the configuration of swapping or switching components in the system, it would have been obvious to one skilled in the art to substitute one method for the other to achieve the predictable result of using the LAN switching for switching or swapping the components within the system. It is clear that Thornton is analogous art and therefore properly combinable for the purpose stated in the rejection of record and Appellant's position is not seen to be persuasive towards patentability.

(11) Related proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the Examiner in the Related Appeals and Interferences section of this Examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully Submitted,

MARK H. RINEHART
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Cel/
August 2, 2007
Kim T. Huynh
Patent Examienr
AU 2111

Conferees :

MARK H. RINEHART
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100